

United States Bankruptcy Court
Western District of New York

In re:
Acme Holdings of N.Y., Inc.
Debtor(s)

Case No. 20-10204-CLB
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0209-1
Date Rcvd: Sep 30, 2020

User: admin
Form ID: pdforder

Page 1 of 2
Total Noticed: 11

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2020:

Recip ID	Recipient Name and Address
db	+ Acme Holdings of N.Y., Inc., 4120 West Main Street Road, Batavia, NY 14020-1260
pr	+ Michael S. Tomaszewski, 43 Edgewood Drive, Batavia, NY 14020-3906
21784156	+ Camillo, David, 494 Reiman St., Buffalo, NY 14212-2279
21784157	#+ Complete Business Solutions Group, c/o Par Funding, Legal Department, 22 N 3rd Street, Philadelphia, PA 19106-2113
21784159	+ EB Funding, LLC, c/o Williams, Babbit & Weisman, Inc., 1001 Yamato Road, Suite 302, Boca Raton, FL 33431-4403
21784163	Kevin Bezon Enterprises, Inc., 4589 Ridge Road, Morton, NY 14508
21784168	+ Steuben Trust Company, One Steuben Square, Hornell, NY 14843-1699
21784172	+ U.S. Small Business Administration, 50 Beaver St., Albany, NY 12207-1538

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpreion02.bu.ecf@usdoj.gov	Sep 30 2020 18:39:00	Office of the U.S. Trustee, 300 Pearl Street, Suite 401, Olympic Towers, Buffalo, NY 14202-2523
21784165	+ Email/Text: nys.dtf.bncnotice@tax.ny.gov	Sep 30 2020 18:39:00	NYS Department of Taxation & Finance, Attn: BK Unit, P.O. Box 5300, Albany, NY 12205-0300
21784164	+ Email/Text: angela.abreu@northwest.com	Sep 30 2020 18:39:00	Northwest Bank, 100 Liberty Street, P.O. Box 128, Warren, PA 16365-0128

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 02, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2020 at the address(es) listed below:

Name	Email Address
Christopher P. Moen	on behalf of Notice of Appearance Creditor NYS Dept of Taxation and Finance christopher.moen@tax.ny.gov
Daniel E. Sarzynski	on behalf of Notice of Appearance Creditor Northwest Bank f/k/a Northwest Savings Bank sarzynski@ruppbaase.com hill@ruppbaase.com;greenlief@ruppbaase.com;wisniewski@ruppbaase.com
David H. Ealy	on behalf of Debtor Acme Holdings of N.Y. Inc. dealy@trevettcristo.com, rkernan@trevettcristo.com
Joseph W. Allen	USTPRegion02.bu.ecf@usdoj.gov Joseph.W.Allen@usdoj.gov
Larry Kerman	on behalf of Notice of Appearance Creditor Mary Ann Brownell kermanlarry56@gmail.com tnelson@blair-roach.com
Larry Kerman	on behalf of Notice of Appearance Creditor Gary Brownell kermanlarry56@gmail.com tnelson@blair-roach.com
Miranda L. Jakubec	on behalf of Notice of Appearance Creditor Northwest Bank f/k/a Northwest Savings Bank sharlette@ruppbaase.com greenlief@ruppbaase.com;hill@ruppbaase.com;wisniewski@ruppbaase.com

TOTAL: 7

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

ACME HOLDINGS OF N.Y., INC.

Debtor.

Chapter 11

Case No. 20-10204-CLB

ORDER

William K. Harrington, Esq., the United States Trustee for Region 2 (the “United States Trustee”), by Joseph W. Allen, Esq., Assistant United States Trustee, having moved this Court, pursuant to 11 U.S.C. § 1104(a)(1) and (2) for an order directing appointment of a chapter 11 trustee, or in the alternative, pursuant to 11 U.S.C. § 1112(b), for an order converting this Chapter 11 case to one under Chapter 7 or, in the alternative, dismissing this case (the “Motion”); and the Court, at a hearing on the Motion held September 28, 2020, having heard Joseph W. Allen, Esq., appearing on behalf of the United States Trustee, and Barclay Damon LLP (Teresa Bennett, Esq., of counsel), appearing on behalf of Community Bank, N.A., in support of the Motion; and Trevett Cristo (David H. Ealy, Esq., of counsel) appearing on behalf of the Debtor herein, in opposition to the Motion;

NOW the Court, upon consideration of the Motion filed September 2, 2020 [Docket No. 69] and upon all other pleadings and proceedings herein, it is hereby,

ORDERED, that the United States Trustee’s Motion is denied in part and granted in part as set forth herein; and it is further,

ORDERED, that the United States Trustee’s request for the appointment of a Chapter 11 Trustee is denied; and it is further,

ORDERED, that the Debtor shall file its Chapter 11 Plan not later than thirty (30) days after entry of this Order; and it is further,

ORDERED, that in the event the Debtor's Chapter 11 Plan is not filed within thirty (30) days after entry of this Order, this case will be converted to a case under Chapter 7 without need for further notice or hearing; and it is further,

ORDERED, that the relief herein is without prejudice to the United States Trustee's right to renew his motion for the appointment of a Chapter 11 Trustee or for the immediate conversion or dismissal of this case.

Dated: September 30, 2020
Buffalo, New York



HONORABLE CARL L. BUCKI
UNITED STATES BANKRUPTCY JUDGE

